

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BLUE HILLS OFFICE PARK LLC,

Plaintiff, Defendant-in-Counterclaim.

v.

Civil Action No. 05-CV-10506 (WJY)

J.P. MORGAN CHASE BANK, as Trustee for the
Registered Holders of Credit Suisse First Boston
Mortgage Securities Corp., Commercial Mortgage
Pass-Through Certificates, Series 1999-C1,

Defendant,

and

CSFB 1999-C1 ROYALL STREET, LLC;
Defendant, Plaintiff-in-Counterclaim,

v.

WILLIAM LANGELIER and GERALD
FINEBERG,

Defendants-in-Counterclaim.

**EMERGENCY MOTION OF DEFENDANTS AND
COUNTERCLAIMANTS TO COMPEL DEPOSITION OF GERALD FINEBERG**

Pursuant to Fed. R. Civ. P. 37(d), Defendants and Counterclaimants CSFB 1999-C1 Royall Street, LLC (“CSFB”) and J.P. Morgan Chase Bank, as Trustee for the Registered Holders of Credit Suisse First Boston Mortgage Securities Corp., Commercial Mortgage Pass-Through Certificates, Series 1999-C1 (the “Trustee”) (collectively, the “Lenders”) move for an order compelling Defendant-in-Counterclaim Gerald Fineberg to appear for his deposition on

Tuesday, March 28, 2006 at 9:30 a.m. at the offices of Lenders' counsel. In support of this motion, the Lenders rely on the memorandum submitted herewith.

Respectfully submitted,

CSFB 1999-C1 ROYALL STREET, LLC,
and J.P. MORGAN CHASE BANK, as
Trustee for the Registered Holders of Credit
Suisse First Boston Mortgage Securities
Corp., Commercial Mortgage Pass-Through
Certificates, Series 1999-C1,

By their attorneys,

/s/ Bruce E. Falby

E. Randolph Tucker, BBO #503845

Bruce E. Falby, BBO #544143

Bruce S. Barnett, BBO #647666

Traci S. Feit, BBO #660688

DLA PIPER RUDNICK GRAY CARY US LLP

33 Arch Street, 26th Floor

Boston, MA 02110-1447

(617) 406-6000

Dated: March 23, 2006

LOCAL RULE 7.1(A)(2) CERTIFICATION

The undersigned counsel for CSFB and the Trustee certifies that he has conferred with Peter McGlynn, counsel for defendants-in-counterclaim Blue Hills Office Park LLC, William Langelier, and Gerald Fineberg, in a good faith effort to resolve the issue presented by this motion.

/s/ Bruce E. Falby

Bruce E. Falby